

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN RE: WAREHOUSE 86, LLC
DEBTOR

CASE NO. 08-03423 ee
CHAPTER 7

ORDER REGARDING TRUSTEE'S OBJECTION TO CLAIM
(DOCKET#)

THIS MATTER is before the Court on the Trustee's Objection to Claim filed by the Trustee in the above styled and numbered case. The Court finds that the Objection should be sustained and further finds as follows:

1. Warehouse 86, LLC ("Debtor") filed for relief under Chapter 11 of the *Bankruptcy Code* on November 4, 2008. On December 3, 2010, the case was converted to a Chapter 7 proceeding. Kimberly R. Lentz is the Chapter 7 trustee ("Trustee") of the bankruptcy estate of the Debtor.

2. This Court has jurisdiction over this matter pursuant 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

3. The Trustee objected to Claim No. 21-1 filed by First Ins Funding Corp. in the amount of \$4,225.68. Pursuant to Docket Entry 31, Order Granting Motion for Authority to Pay Post-Petition Installments on Insurance policies Necessary to Maintain Insurance Coverage, the Chapter 11 Debtor was authorized "...to pay, as the Debtor deems necessary, any and all insurance premiums, payments with respect to premiums that are or will become due under the Policies, including any such premiums or payments with respect to financed premiums that may have accrued or become due in part prior to the filing of the Debtor's Petition" (Order Section 6). Upon information and belief, Claim No. 21-1 was satisfied during the Chapter 11 case. The Debtor's Monthly Operating Deposits reflect payments to First Insurance Funding. Accordingly, the Trustee

requests that Claim No. 21-1 be disallowed as a general unsecured claim.

IT IS THEREFORE ORDERED AND ADJUDGED that Claim No. 21-1 filed by First Ins Funding Corp. in the amount of \$4,225.68 is hereby disallowed as a general unsecured claim.

IT IS FURTHER ORDERED AND ADJUDGED that this Order shall constitute a final judgment as defined in Rule 9021 of the *Federal Rules of Bankruptcy Procedure*.

SO ORDERED AND ADJUDGED.

ORDER SUBMITTED BY:

Lentz & Little, PA
PO Box 927
Gulfport, MS 39502
Telephone (228) 867-6050
Facsimile (228) 867-6077